

99103002011000, 99103002011000

Apply to amend the foundation statutes or foundation constitution

Heruntergeladen am 16.06.2025

<https://fimportal.de/xzufi-services/117941178/L100027>

Modul	Sachverhalt
Leistungsschlüssel	99103002011000, 99103002011000
Leistungsbezeichnung I	Apply to amend the foundation statutes or foundation constitution
Leistungsbezeichnung II	
Typisierung	2/3a - Bund: Regelung, Land: Vollzug
Quellredaktion	Mecklenburg-Vorpommern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Stiftungen (103)
Verrichtungskennung	Änderung (011)
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher	

Modul	Sachverhalt
Ansprechpartner	Nein
Fachlich freigegeben am	28.09.2021
Fachlich freigegeben durch	Ministry of Justice M-V - Foundation Supervision, Department 390
Handlungsgrundlage	https://www.gesetze-im-internet.de/bgb/_87.html https://www.gesetze-im-internet.de/bgb/_87.html
Teaser	Amendments to the foundation statutes/constitution by foundation bodies require the approval of the foundation supervisory authority.
Volltext	<p>Amendments to the foundation statutes/constitution are permissible subject to the founder's actual and presumed will:</p> <p>The founder should define the requirements and the procedure for amending the foundation statutes/constitution when the foundation is established. In this way, the fate of the foundation can be determined in the long term and the founder's will is guaranteed even after the founder's death. The founder can grant a specific body the right to amend the foundation statutes/constitution. This body must then amend the foundation statutes/constitution in accordance with the founder's actual or presumed will. Amendments to the foundation statutes/constitution by foundation bodies require the approval of the foundation supervisory authority.</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> • Informal application by the statutory representative with reasons for the amendment to the foundation statutes/constitution <ul style="list-style-type: none"> • In the event of a change of purpose: Declaration of approval from the responsible tax office for the change of purpose of the foundation statutes/constitution • Resolution of the responsible foundation bodies on the amendment of the foundation statutes/constitution • Amended articles of association/foundation constitution in duplicate
Voraussetzungen	Amendments to the foundation statutes/constitution by foundation bodies can be approved under the

Modul

Sachverhalt

following conditions:

The amendment is in accordance with the declared or presumed will of the founder. The founder's will as set out in the foundation statutes/constitution may only be modified in line with the times, but not changed in its tendency.

Changes to the purpose of the foundation as well as the dissolution and merging of foundations are generally possible and permissible under foundation law. However, the founder should determine the conditions under which these measures are permissible in the foundation statutes/constitution. If the foundation statutes/constitution do not contain any such provisions, it can be assumed that the founder intended the requirements of § 87 of the German Civil Code and § 9 of the M-V Foundation Act to apply as a rule. Accordingly, the aforementioned measures are only permissible if the fulfillment of the foundation's purpose has become impossible or the foundation endangers the common good or the measure is indicated due to a significant change in circumstances.

Kosten

In Mecklenburg-Vorpommern, there are no fees for amending the foundation statutes/constitution of the foundation statutes for non-profit foundations with legal capacity.

Administrative fees are charged for the amendment of the foundation statutes/constitution of the foundation statutes for non-charitable foundations and family foundations.

Verfahrensablauf

Resolutions on amendments to foundation statutes/constitutions require the approval of the foundation supervisory authority. Complete the application and submit it together with the required documents. If the requirements are met, the foundation supervisory authority will approve the amendment. You will receive a notification.

Bearbeitungsdauer

Frist

- Notification of a minor amendment to a foundation

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	statute to the competent foundation authority: within one month of the resolution being passed • Entry into force of a material amendment: upon notification of the approval notice
weiterführende Informationen	
Hinweise	
Rechtsbehelf	You can file a complaint against the decision with the competent administrative court.
Kurztext	<ul style="list-style-type: none"> • Amend the foundation statutes/foundation constitution Apply for foundation statutes; • Application by citizens, companies, associations; • In the event of a change of purpose: presentation of a foundation purpose that must not endanger the common good; • Presentation of the probable income from the basic assets to fulfill the purpose of the foundation; • subject to a fee in the case of a family foundation or a non-charitable foundation; • Competent authority: Ministry of Justice M-V, Foundation Supervision, Department 390
Ansprechpunkt	Ministry of Justice M-V Foundation Supervision - Department 390 Pushkinstrasse 19 - 21 19055 Schwerin Telephone 0385/588 13390 and 0385/588 13391 E-mail: poststelle@jm.mv-regierung.de
Zuständige Stelle	Ministry of Justice M-V - Foundation Supervision, Department 390
Formulare	
Ursprungsportal	Änderung der Stiftungssatzung oder Stiftungsverfassung beantragen, Apply to amend the foundation statutes or foundation constitution